

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JUSTIN EVERETT,)
 Plaintiff,)
 v.)
FIELDWORKS, LLC and ZACHARY)
REUIDER)
 Defendants.)
)

Civil Action No. 2:17-cv-01495-PJP

Judge Peter J. Phipps

ELECTRONIC FILING

DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION TO STAY

1. On April 24, 2019, the Court issued an Order that scheduled trial to commence in the above-captioned action on Monday, June 10, 2019. (ECF Doc. No. 67)
2. On Friday, June 7, 2019, Plaintiff, at approximately, 4:17 p.m., sought a Motion to Stay, ostensibly on the basis that he has to work on Monday.
3. Plaintiff has known since April 24, 2019, that the trial date had been set.
4. Defendant Zachary Reider and FieldWorks' officer, Christopher Gallaway, have made travel reservations and are arriving this weekend.
5. Defense counsel has been diligently preparing for trial based on the June 10th start date.
6. Defendants would be extremely prejudiced if trial were delayed as multiple schedules have been arranged to accommodate the trial schedule, which the Court made clear would happen.
7. Further, there is no legitimate basis for Plaintiff's request for stay and this is dilatory conduct.
8. Should Plaintiff fail to appear on Monday, Defendants will seek any and all

remedies available to it at law including dismissal, with prejudice, sanctions, or other appropriate relief.

WHEREFORE, Defendants respectfully request that this Court deny Plaintiff's Motion to stay in accordance with the attached proposed Order.

Respectfully submitted,

/s/ Jennifer S. Park

Jennifer S. Park
PA I.D. 205842 / jpark@cohenlaw.com
Kelsey J. Gdovin
PA I.D. 322715 / kgdovin@cohenlaw.com

COHEN & GRIGSBY, P.C.
625 Liberty Avenue
Pittsburgh, PA 15222-3152
412-297-4900 / Fax 412-209-0672

Counsel for Defendants

Dated: June 7, 2019

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendants' Response to Plaintiff's Motion to Stay was filed with the Court electronically on June 7, 2019. Notice of this filing will be sent to all parties via electronic mail.

/s/ Jennifer S. Park